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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT SEATTLE

7 NATIONAL PARKS CONSERVATION
8 ASSOCIATION,

9 Plaintiff,

10 v.

11 U.S. DEPARTMENT OF THE NAVY,

12 Defendant.

C19-645 TSZ

MINUTE ORDER

12 The following Minute Order is made by direction of the Court, the Honorable
13 Thomas S. Zilly, United States District Judge:

14 (1) Having reviewed the parties' Joint Status Report, docket no. 20, and the
15 Declarations of Tom Buchele, docket no. 21, and Commander Erin Quay, docket no. 22,
16 the Court ORDERS as follows.

17 (a) On or before May 8, 2020, defendant shall (i) release to plaintiff any
18 and all materials not previously produced that are responsive to plaintiff's requests
19 under the Freedom of Information Act ("FOIA") and not exempt from disclosure,
20 and (ii) provide plaintiff with a "Vaughn index" listing each withheld document
21 and explaining why it was not disclosed. See Vaughn v. Rosen, 484 F.2d 820
22 (D.C. Cir. 1973).

23 (b) Dispositive motions shall be filed by May 28, 2020, and noted for
24 the fourth Friday thereafter, *i.e.*, June 19, 2020, and any responses to, and any
25 replies in support of, such motions shall be due in accordance with Local Civil
26 Rule 7(d)(3).

27 Plaintiff made its initial FOIA request in June 2016, almost four years ago, and defendant
28 may not use the current COVID-19 crisis as an excuse for being unprepared to compile a
29 Vaughn index until the end of August 2020. Because the parties have been unable to

1 reach agreement on a briefing schedule, the Court has set a dispositive motion filing
2 deadline that is reasonable given all of the circumstances, including the deadline for
serving a *Vaughn* index and the anticipated issuance of defendant's Final Supplemental
Environmental Impact Statement.

(2) The Clerk is directed to send a copy of this Minute Order to all counsel of record.

Dated this 8th day of April, 2020.

William M. McCool
Clerk

s/Karen Dews
Deputy Clerk